
DIGEST

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HB 629 Original

2020 Regular Session

Horton

Abstract: Provides for the appointment, vacancies, and removal of members of the Cypress Black Bayou Recreation and Water Conservation District.

Present law grants rights, powers and privileges to the board of commissioners for Cypress Black Bayou Recreation and Water Conservation District. Present law also grants rights, powers, privileges and immunities to Cypress-Black Bayou Recreation and Water conservation District as a political subdivision of Louisiana and to the board of com

Proposed law maintains present law and prohibits the district from being entitled to sovereign immunity regarding suits within the district's administration, including but not limited to, suits to determine property rights between the district and property owners within the district.

Present law requires successors to the present members of the board of commissioners to be appointed as follows: one by the police jury of Bossier Parish; one by the mayor and governing authority of the city of Bossier City; one by the mayor and governing authority of the village of Benton; one by the Bossier Parish school board; and the fifth by the Board of Commissioners of the Bossier Levee District.

Proposed law modifies present law by requiring successors to the present members of the board of commissioners to be appointed by the Bossier Parish police jury.

Present law modifies present law by requiring vacancies in the office of commissioner due to death, resignation, or other causes be filled by the remaining commissioners for the unexpired term.

Proposed law requires vacancies in the office of commissioner due to death, resignation, or other causes be returned to the Bossier Parish police jury for appointment of a suitable replacement for the unexpired term.

Proposed law authorizes the removal of a board member for cause such as conflicts of interest, failure or refusal to perform the prescribed duties, conduct having a material adverse effect upon the work of the district, or conviction of a felony. Proposed law requires a written recommendation of removal, approved by a majority of the board members, to be submitted to the Bossier Parish police jury for immediate removal.

Proposed law authorizes members of the district or taxpayers to submit a complaint to the police jury for removal of a board member, subject to notice. Proposed law requires the police jury to send

notice of the recommendation for removal to such board member, identifying the charges against the member.

Proposed law requires the board member to submit a written request for a hearing before the police jury, within 10 days from receipt of notice, or the member will be deemed removed from office. Proposed law prohibits the police jury from holding a hearing to determine whether to uphold the removal until 10 days from receipt of the request for the hearing has elapsed. Proposed law requires removal by majority vote of the police jury. Proposed law specifies that if the removal is not upheld, the member will continue in office, unless otherwise subsequently removed for cause.

(Amends R.S. 38:603 and 2604; Adds R.S. 38:2603(F))